

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition)	
for Modification of Probation)	
of:)	
	N 15897
JAMES L. GRISEZ, M.D.,)	
Respondent.)	
_____)	

DECISION

This matter was heard before a Medical Quality Review Committee Panel, District III, on December 12, 1980, at San Mateo, California. The following members were present: Bruce Reyes, D.C.; Kenneth Bubb, Public Member; Leonti Thompson, M.D.; William Peniston, M.D.; and Earl Wolfman, M.D., Chairman. Robert S. Kendall, Administrative Law Judge, State of California, Office of Administrative Hearings, presided.

Vivian Hersh, Deputy Attorney General, represented the Board of Medical Quality Assurance.

Respondent was present and represented himself.

Accordingly, the Panel makes the following findings of fact, determinations of issues and order:

FINDINGS OF FACT

I

Respondent James L. Grisez was issued his Physician's and Surgeon's Certificate by the Board in 1962.

II

On June 8, 1979, respondent's license was, by stipulation, revoked, with the revocation stayed for five years and with respondent placed on probation for that period of time.

III

a) Respondent seeks modification of his probation condition requiring that he devote 25 hours per year of the continuing medical education program toward pharmacology of controlled substances and/or activities related to controlled substances.

b) Respondent advances as his grounds for this request:

1) The inability to find, and the scrutiny of, courses covering these particular subjects. Respondent has since June 8, 1979, completed 24 actual hours in instruction in this subject area, and has worked 10 hours with a psychiatrist in abuse therapy, for a total of 34 hours.

2) That to locate and attend such courses or related subject instruction would require his coming to the Bay Area for extended periods. This will conflict with his practice requirements of attendance of post-operative patients. With four plastic surgeons now practicing in Napa, this requirement would cause further loss of patients. Respondent's practice did suffer, probably as a consequence of the publicity surrounding his stipulated settlement with the Board.

3) Respondent, since June 8, 1979, has completed in addition to the 34 hours in pharmacology above cited, 169 hours of continuing medical education, including 76½ hours in Category I subjects and 43 hours in his specialty. In all other respects, he has complied with the terms of his probation, including as many as six urine sample submissions per week.

DETERMINATION OF ISSUES

I

The evidence establishes respondent's request is rational, reasonable and will not adversely effect the Division's surveillance and supervision of his remaining probation.

II

Respondent has established good cause, with due regard for the public interest, for his request to modify the terms of his probationary educational requirement.

III

The decision by the Panel to permit modification of respondent's probation was unanimous pursuant to the provisions of Business and Professions Code Section 2376.5.

ORDER

1. The term of respondent's probation which, at page 3, paragraph 6(b), in the Decision Pursuant to Stipulation, No. D-2201, provides that:

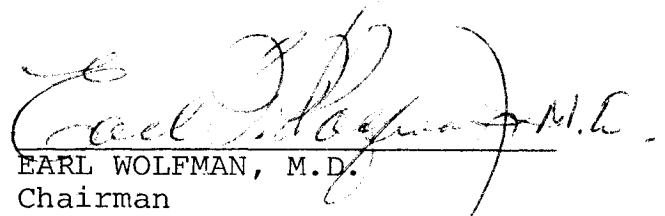
"(b) Respondent shall participate in a continuing educational program required for certification by the American Medical Association, the California Medical Association, or the American Academy of Family Practice of at least fifty (50) hours annually, of which a minimum of twenty-five (25) hours annually shall be directed toward pharmacology of controlled substances, and/or activities related to controlled substances which are given the prior approval of the Division."

is amended to read:

"(b) Respondent shall participate in a continuing educational program required for certification by the American Medical Association, the California Medical Association, or the American Academy of Family Practice of at least fifty (50) hours annually."

2. In all other respects, the terms of respondent's probation remain unchanged.

DATED: January 12, 1981


EARL WOLFMAN, M.D.
Chairman

EW:RSK:map

This Decision shall become effective on February 11, 1981.